

SENATE, No. 1010

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Greenstein

SYNOPSIS

Permits counties and municipalities to bond for alternative fuel vehicles.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/25/2021)

1 **AN ACT** concerning the acquisition of alternative fuel automotive
2 vehicles and amending N.J.S.40A:2-22.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. N.J.S.40A:2-22 is amended to read as follows:

8 40A:2-22. The governing body of the local unit shall determine
9 the period of usefulness of any purpose according to its reasonable
10 life computed from the date of the bonds, which period shall not be
11 greater than the following:

12 a. Buildings and structures.

13 1. Bridges, including retaining walls and approaches, or
14 permanent structures of brick, stone, concrete or metal, or similar
15 durable construction, 30 years.

16 2. Buildings, including the original furnishings and equipment
17 therefor:

18 Class A: A building, of which all walls, floors, partitions, stairs
19 and roof are wholly of incombustible material, except the window
20 frames, doors, top flooring and wooden handrails on the stairs, 40
21 years;

22 Class B: A building, the outer walls of which are wholly of
23 incombustible material, except the window frames and doors, 30
24 years;

25 Class C: A building which does not meet the requirements of
26 Class A or Class B, 20 years.

27 3. Buildings or structures acquired substantially reconstructed
28 or additions thereto, one-half the period fixed in this subsection for
29 such buildings or structures.

30 4. Additional furnishings, five years.

31 b. Marine improvements.

32 1. Harbor improvements, docks or marine terminals, 40 years.

33 2. Dikes, bulkheads, jetties or similar devices of stone,
34 concrete or metal, 15 years; of wood or partly of wood, 10 years.

35 c. Additional equipment and machinery.

36 1. Additional or replacement equipment and machinery, 15
37 years.

38 2. Voting machines, 15 years.

39 3. Information technology and telecommunications equipment,
40 7 years, except that for items with a unit cost of less than \$5,000, 5
41 years.

42 d. Real property.

43 1. Acquisition for any public purpose of lands or riparian
44 rights, or both, and the original dredging, grading, draining or
45 planting thereof, 40 years.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 2. Improvement of airport, cemetery, golf course, park,
2 playground, 15 years.
- 3 3. Stadia of concrete or other incombustible materials, 20
4 years.
- 5 e. Streets or thoroughfares.
- 6 1. Elimination of grade crossings, 35 years.
- 7 2. Streets or roads:
 - 8 Class A: Rigid pavement. A pavement of not less than eight
9 inches of cement concrete or a six-inch cement concrete base with
10 not less than three-inch bituminous concrete surface course, or
11 equivalent wearing surface, 20 years.
 - 12 Flexible pavement. A pavement not less than 10 inches in depth
13 consisting of five-inch macadam base, three-inch modified
14 penetration macadam and three-inch bituminous concrete surface
15 course or other pavements of equivalent strength, in accordance
16 with the findings of the American Association of State Highway
17 Officials (AASHO) Road Test, 20 years.
 - 18 Class B: Mixed surface-treated road. An eight-inch surface of
19 gravel, stone or other selected material under partial control mixed
20 with cement or lime and fly ash, six inches in compacted thickness
21 with bituminous surface treatment and cover, 10 years.
 - 22 Bituminous penetration road. A five-inch gravel or stone base
23 course and a three-inch course bound with a bituminous or
24 equivalent binder, 10 years.
 - 25 Class C: Mixed bituminous road. An eight-inch surface of
26 gravel, stone, or other selected material under partial control mixed
27 with bituminous material one inch or more in compacted thickness,
28 five years.
 - 29 Penetration macadam road. A road of sand, gravel or water-
30 bound macadam, or surfacing with penetration macadam, five years.
- 31 3. Sidewalks, curbs and gutters of stone, concrete or brick, 10
32 years.
- 33 The period of usefulness in this subsection shall apply to
34 construction and reconstruction of streets and thoroughfares.
- 35 f. Utilities and municipal systems.
- 36 1. Sewerage system, whether sanitary or storm water, water
37 supply or distribution system, 40 years.
- 38 2. Electric light, power or gas systems, garbage, refuse or ashes
39 incinerator or disposal plant, 25 years.
- 40 3. Communication and signal systems, 10 years.
- 41 4. House connections to publicly-owned gas, water or sewerage
42 systems from the service main in the street to the curb or property
43 lines where not part of original installation, five years.
- 44 5. House connections to publicly-owned water systems, from
45 the distribution main onto privately-owned real property and into
46 the privately-owned structure, for the purpose of replacing lead-
47 contaminated house connections, so long as the project is (a)
48 undertaken as an environmental infrastructure project, as defined

1 under section 3 of P.L.1985, c.334 (C.58:11B-3), and (b) funded
2 either by loans from the New Jersey Infrastructure Bank, created
3 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), or by loans
4 issued through the Department of Environmental Protection, 30
5 years.

6 g. Vehicles and apparatus.

7 1. Fire engines, apparatus and equipment, when purchased
8 new, but not fire equipment purchased separately, 10 years.

9 2. Automotive vehicles, including original apparatus and
10 equipment (other than passenger cars and station wagons), when
11 purchased new, five years.

12 3. Major repairs, reconditioning or overhaul of fire engines and
13 apparatus, ambulances, rescue vehicles, and similar public safety
14 vehicles (other than passenger cars and station wagons) which may
15 reasonably be expected to extend for at least five years the period of
16 usefulness thereof, five years.

17 4. Alternative fuel automotive vehicles, including but not
18 limited to, electric vehicles, plug-in hybrid vehicles, hydrogen fuel
19 cell vehicles, natural gas vehicles, and propane vehicles, when
20 purchased new, five years.

21 h. The closure of a sanitary landfill facility utilized, owned or
22 operated by a county or municipality, 15 years; provided that the
23 closure has been approved by the Board of Public Utilities and the
24 Department of Environmental Protection. For the purposes of this
25 subsection "closure" means all activities associated with the design,
26 purchase or construction of all measures required by the
27 Department of Environmental Protection, pursuant to law, in order
28 to prevent, minimize or monitor pollution or health hazards
29 resulting from sanitary landfill facilities subsequent to the
30 termination of operations at any portion thereof, including, but not
31 necessarily limited to, the costs of the placement of earthen or
32 vegetative cover, and the installation of methane gas vents or
33 monitors and leachate monitoring wells or collection systems at the
34 site of any sanitary landfill facility.

35 i. (Deleted by amendment, P.L.2007, c.62.)

36 j. The prefunding of a claims account for environmental
37 liability claims by an environmental impairment liability insurance
38 pool pursuant to P.L.1993, c.269 (C.40A:10-38.1 et al.), 20 years.

39 k. As used in this section:

40 "Alternative fuel automotive vehicle" means any passenger car,
41 station wagon, or other motor vehicle that is not solely propelled by
42 gasoline or diesel fuel.

43 "Electric vehicle" means any passenger car, station wagon, or
44 other motor vehicle that is propelled solely by an electric motor or
45 energy storage device.

46 "Hydrogen fuel cell vehicle" means any passenger car, station
47 wagon, or other motor vehicle that is propelled by power derived

1 from one or more cells that convert chemical energy directly into
2 electricity by combining oxygen with hydrogen fuel.

3 “Natural gas vehicle” means any passenger car, station wagon, or
4 other motor vehicle that is either propelled solely by natural gas or
5 by any mixture of natural gas and gasoline or diesel fuel.

6 “Plug-in hybrid vehicle” means any passenger car, station
7 wagon, or other motor vehicle that can be charged from a source of
8 electricity external to the vehicle through an electric plug, but
9 which is not solely powered by electricity.

10 “Propane vehicle” means any passenger car, station wagon, or
11 other motor vehicle that is either propelled solely by liquefied
12 petroleum gas or by any mixture of liquefied petroleum gas and
13 gasoline or diesel fuel.

14 (cf: P.L.2018, c.114, s.4)

15
16 2. This act shall take effect immediately.

17
18
19 STATEMENT

20
21 This bill permits counties and municipalities to issue bonds to
22 acquire alternative fuel automotive vehicles.

23 Counties and municipalities are currently prohibited under the
24 Local Bond Law, N.J.S.40A:2-1 et seq., from issuing bonds to
25 finance the acquisition of passenger cars and station wagons,
26 regardless of whether these vehicles are powered by alternative fuel
27 sources. This bill amends the Local Bond Law to authorize the
28 acquisition of any newly purchased alternative fuel automotive
29 vehicle, including but not limited to electric vehicles, plug-in hybrid
30 vehicles, hydrogen fuel cell vehicles, natural gas vehicles, and
31 propane vehicles.

32 The bill defines an “alternative fuel automotive vehicle” as any
33 passenger car, station wagon, or other motor vehicle that is not
34 solely propelled by gasoline or diesel fuel.